

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

WHEREAS, these amendments will amend which zoning districts allow the placement of mobile and manufactured homes; and

WHEREAS, the Kitty Hawk Planning Board has recommended approval of this amendment; and

WHEREAS, the Town Council of Kitty Hawk has found this amendment to be in the public interest and consistent with the Town's adopted CAMA Land Use Plan.

BE IT ORDAINED by the Town Council of Kitty Hawk that the language of the following subsections be amended as follows in the Kitty Hawk Town Code:

Sec. 42-1 Definitions

Manufactured home means a structure that is transportable in one or more sections. In traveling mode, the home is eight (8) feet or more in width and forty (40) feet or more in length. A manufactured Home is designed and constructed to the Federal Manufactured Construction and Safety Standards and is so labeled. When erected on site, the home is:

1. At least 400 square feet
2. Built and remains on a permanent chassis
3. Designed to be used as a dwelling with a permanent foundation built to FHA criteria

The structure must be designed for occupancy as a principle residence by a single family.

Mobile home means a structure that has all of the following characteristics:

1. It consists of a single unit completely assembled at the factory.
2. It is designed so that the total structure can be transported on its own chassis.
3. It is over 32 feet long and 8 feet wide.
4. It is designed to be used as a dwelling unit and provides complete independent living facilities, including provisions for living, sleeping, eating, cooking and sanitation.
5. It is actually being used, or is held ready for use, as a dwelling.
6. Built prior to June 15, 1976.

42-247(b)1. Detached single-family dwellings, not to include mobile or manufactured homes.

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42-250(c)1. Single-family dwellings, not to include mobile or manufactured homes. A single-family dwelling must comply with the dimensional requirements of the BR-1 district.

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42-253(c)1. ~~Residential,~~ Single-family dwellings, not to include mobile or manufactured homes. A single-family dwelling must comply with the dimensional requirements of the BR-1 district. ~~provided the height from ground elevation to the top of the top plate is 27 feet, the height of habitable floors does not exceed 19 feet and the total height shall not exceed 35 feet exclusive of chimneys, flag poles, communication masts, and aerials.~~

42-273(b)1. Detached single-family dwellings, not to include mobile or manufactured homes.

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42-274(b)4. ~~Mobile homes; provided that:~~

a. ~~Skirting shall be placed under all mobile homes brought into the town:~~

- ~~1. When a mobile home is placed on pilings, acceptable skirting can include lattice or one inch by four inch (one space with a slat and one space without) completely enclosing the underneath with the exception of access doors, parking areas, vents, or other opening required by the town or state building code.~~
- ~~2. Other acceptable foundations or skirting also include brick, cinderblock and/or other similar decorative features.~~
- ~~3. Skirting shall hide the chassis of the mobile home.~~
- ~~4. All skirting shall be constructed within 30 days of occupancy.~~

b. ~~Mobile homes shall be placed on the lot parallel to the adjacent road whenever possible.~~

c. ~~The tongue, transporting lights, and removable towing apparatus must be removed after placement on the lot and before final occupancy.~~

d. ~~Mobile homes shall not be used as a storage facility.~~

e. ~~Permanent living quarters or additions shall not be constructed to adjoin any newly installed mobile homes with the exception of decks and/or screened porches. Existing mobile homes in the town prior to the adoption date of the ordinance from which this chapter is derived shall be allowed to have additions that adjoin their trailer. (The building code allows additions, however they must be freestanding.)~~

f. ~~Two or more singlewide mobile homes shall not be connected together as one dwelling nor may a mobile home be attached to any accessory dwelling with the exception of a garage or a carport. (The building code allows two units.)~~

g. ~~The exterior siding must consist of wood, hardboard, vinyl or aluminum.~~

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~~h. Mobile homes shall be occupied as single family dwelling only. Home occupations may be permitted pursuant to this chapter.~~

~~i. Only those mobile homes constructed after July 13, 1994, (wind zone II) can be installed in the town and only if those mobile homes are being relocated from another location within the county. All new mobile homes that are brought into the town from outside the county must be HUD approved, wind zone III structures.~~

42-276(b)4. Detached single-family dwellings and duplexes in accordance with the dimensional requirements in this section, not to include mobile or manufactured homes. ~~Mobile homes are permitted provided they are skirted, placed on a foundation and anchored according to the state building code for mobile homes in hurricane areas and in accordance with the standards established by the federal Mobile Home Construction Safety Standards Act of 1974, for single-family manufactured homes or the standards of installation of mobile homes adopted by the state commissioner of insurance, whichever is applicable.~~ Single-family dwellings shall comply with the dimensional requirements of the VR-1 district.

42-277(b)1. All permitted uses allowed within the VC-1 village commercial district. Single-family dwellings, not to include mobile or manufactured homes, shall comply with the dimensional requirements of the VR-1.

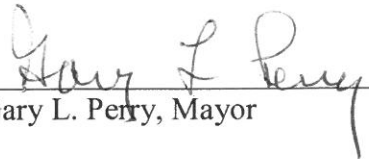
42-278(b)5. ~~Mobile homes as provided for in the VR-2 district.~~ Single-family dwellings, not to include mobile or manufactured homes, shall comply with the dimensional requirements of the VR-1 district.

42-616

- (a) All ~~mobile homes~~, trailers, and campers shall hereafter be located for occupancy in a ~~mobile home park or~~ trailer park only as provided for in this chapter.
- (b) All mobile homes shall hereafter be located for occupancy in a mobile home park only as provided for in this chapter, or as provided for by Section 42-275(b)5.
- (c) No person shall maintain, operate or occupy a mobile home or travel trailer park in the town unless such park has been located in accordance with this chapter.
- (d) Except as otherwise provided, this division applies to mobile home and trailer parks.

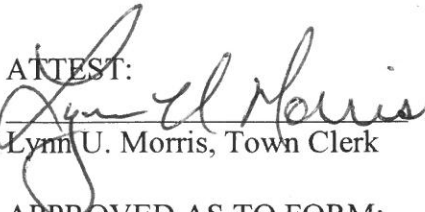
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This ordinance amending the Kitty Hawk Town Code shall take effect the 4th day of April, 2016. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 4th day of April, 2016, by a vote of 5 in favor and 0 opposed.



Gary L. Perry, Mayor

ATTEST:

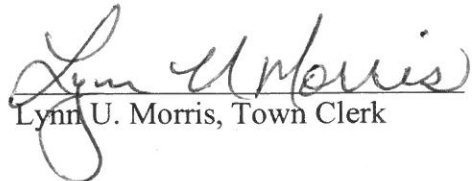


Lynn U. Morris, Town Clerk

APPROVED AS TO FORM:

Steve Michael, Town Attorney

The undersigned certifies that the foregoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN CODE OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 5th day of April, 2016, at 3 o'clock p.m.



Lynn U. Morris, Town Clerk